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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,978	05/25/2001	Masood Mortazavi	SUN1P820/P5884	6345
22434	7590	08/22/2006	EXAMINER	
BEYER WEAVER & THOMAS, LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			LESNIEWSKI, VICTOR D	
			ART UNIT	PAPER NUMBER
			2152	
DATE MAILED: 08/22/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/865,978	<b>Applicant(s)</b> MORTAZAVI ET AL.	
	<b>Examiner</b> Victor Lesniewski	<b>Art Unit</b> 2152	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-11,13-33,35-40,42 and 43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-11,13-33,35-40,42 and 43 is/are rejected.
- 7) ☒ Claim(s) 17,18,27,32,33,39 and 40 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The amendment filed 5/26/2006 has been placed of record in the file.
2. Claims 1, 10, 16, 25, 31, 38-40, 42, and 43 have been amended.
3. The rejection of claims 16-24 under 35 U.S.C. 112 is withdrawn in view of the amendment.
4. Claims 2, 3, 12, 34, 41, and 44 have been canceled.
5. Claims 1, 4-11, 13-33, 35-40, 42, and 43 are now pending.
6. The applicant's arguments with respect to claims 1, 4-11, 13-33, 35-40, 42, and 43 have been considered but are moot in view of the following new grounds of rejection.

### ***Response to Amendment***

7. Claims have been amended to show the setting of an exception listener that is registered for the second component. The amendment proves a change in scope to the independent claims as the independent claims now explicitly state setting an exception listener on the asynchronous proxy and a scope of the second component, the exception listener being registered for the second component. However, none of the amended claims show a patentable distinction over the prior art as evidenced by the following new grounds of rejection.
8. Several status identifiers in the amendment have been found to be improper. Please refer to 37 CFR 1.121(c) and submit the proper status identifiers in any future amendments.

***Claim Objections***

9. Claims 17, 18, 27, 32, 33, 39, and 40 are objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. The applicant is required to cancel the claims, amend the claims to place them in proper dependent form, or rewrite the claims in independent form.
10. Claims 17 and 18 recite limitations already present in claim 16, from which they depend.
11. Claim 27 recites limitations already present in claim 25, from which it depends.
12. Claims 32 and 33 recite limitations already present in claim 31, from which they depend.
13. Claims 39 and 40 recite limitations already present in claim 38, from which they depend.

***Claim Rejections - 35 USC § 102***

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15. Claims 1, 4-11, 13-33, 35-40, 42, and 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Codella et al. (U.S. Patent Number 6,804,818), hereinafter referred to as Codella.
16. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a computer program product, a computer system, an apparatus, or an alternate computer-implemented method are rejected under the same rationale applied to the described claim.

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17. Codella has disclosed:

- <Claims 1, 10, 16-18, 25, 27, 31-33, 38-40, and 43>

A computer-implemented method for a first component to invoke a second component asynchronously in an object-oriented computing environment, the computer-implemented method comprising: receiving at an asynchronous proxy an asynchronous request from a first object-oriented component residing at a first server to invoke a second object-oriented component residing at a second server (column 5, lines 5-15 and column 5, line 59 through column 6, line 7) wherein the request has a void return type and is not associated with application-specific exceptions (column 9, lines 28-33); setting an exception listener on the asynchronous proxy and a scope of the second component, the exception listener being registered for the second component (column 16, lines 31-50 and column 13, lines 55-63); storing the request and the scope in a queue on the asynchronous proxy (column 14, lines 2-6 and 13-21); providing a thread for identifying the received request and invoking the second component, wherein the thread identifies an exception listener object-oriented component for handling exceptions associated with the invocation of the second component, wherein the exception listener is registered on an asynchronous proxy, is stateless and is operable to handle a plurality of types of exceptions from a plurality of different components (column 14, lines 13-27 and column 16, line 63 through column 17, line 41).

- <Claims 4 and 19>

The computer-implemented method of claim 1, wherein the first and second components reside in environments allowing components to directly invoke other components (column 4, lines 25-51).

- <Claims 5, 14, 20, 29, 35, and 42>

The computer-implemented method of claim 1, wherein the first and second components are Enterprise Java Bean components (column 4, lines 25-51).

- <Claims 6, 15, 21, 30, and 36>

The computer-implemented method of claim 5, wherein the first and second components are associated with a container (column 4, lines 54-56).

- <Claims 7 and 22>

The computer-implemented method of claim 6, further comprising placing the request from the first component in a queue (column 5, lines 5-15).

- <Claims 8, 23, and 37>

The computer-implemented method of claim 7, wherein a worker thread dequeues the received request after receiving a transaction commit signal from the container (column 5, lines 59-67).

- <Claims 9 and 24>

The computer-implemented method of claim 8, wherein the exception listener receives the exception and the scope of the exception (column 13, line 64 through column 14, line 20).

- <Claims 11 and 26>

The computer-implemented method of claim 10, wherein the asynchronous proxy has the same type as the second component (column 9, lines 11-33).

- <Claims 13 and 28>

The computer-implemented method of claim 10, wherein the first and second components are associated with separate servers (column 3, lines 61-67).

Since all the limitations of the invention as set forth in claims 1, 4-11, 13-33, 35-40, 42, and 43 were disclosed by Codella, claims 1, 4-11, 13-33, 35-40, 42, and 43 are rejected.

### *Conclusion*

18. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Dorn et al. (U.S. Patent Number 6,012,081) disclosed a service and event synchronous/asynchronous manager which employs a high level, operating system independent framework that uses threads for asynchrony and independence from operating systems which do not provide for asynchrony.
- Acker et al. (U.S. Patent Number 6,704,805) disclosed a method for managing message queues using standard EJB techniques.
- Ahmad et al. (U.S. Patent Number 6,973,657) disclosed a method for middle-tier optimization that performs distributed transactions in a CORBA environment.

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19. The applicant's amendment necessitated the new grounds of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

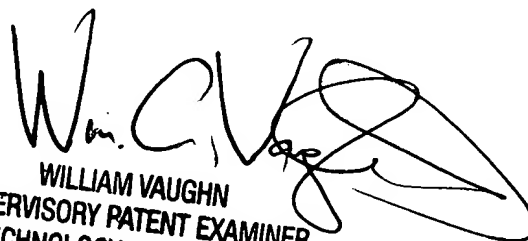


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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